

**Administrative Record****SF File Number****1030000**

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November 21, 1983

John J. Drynan, M.D.  
 Director  
 Montana Department of Health  
 and Environmental Sciences  
 Cogswell Building  
 Helena, Montana 59620

Mr. John G. Welles  
 Regional Administrator  
 EPA, Region VIII  
 1860 Lincoln Street  
 Denver, CO 80203

RE: Proposed East Helena Superfund Site

Gentlemen:

As you know, over the past several months, the area near ASARCO's East Helena Plant has been the subject of extensive investigations and the area has been subject to possible listing as a "Superfund site." On September 8, 1983, EPA published a proposed update to the National Priorities List, formally proposing the site, identified as the "East Helena Smelter," for inclusion on the list. 48 Fed. Reg. 40674. I enclose for your information a copy of comments that have been submitted on behalf of ASARCO Incorporated with respect to the proposed listing.

As you will note from the enclosed comments, it is ASARCO's position that, in light of (1) the very favorable results of the recent blood lead study in the East Helena and Helena areas, (2) the favorable results of the analysis of the ground water samples, and (3) the recent finalization of the lead SIP, no further expenditure of Superfund money with respect to the East Helena site is warranted. Moreover, ASARCO hopes

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that it will have your support in urging that the East Helena site not be included on the National Priorities List when the current proposed update is finalized. As I recall, it was Governor Schwinden's position that the East Helena smelter site should not be listed if there were no adverse impacts present. In view of the results now available, it would seem that the position of Montana should become solidified now in opposing the listing of the East Helena site.

Expenditure of federal funds for further study or remedial actions at the East Helena site is not warranted. ASARCO is concerned that ongoing study efforts and expenditures are planned at the East Helena site in the immediate future, even prior to final action by EPA on the proposed update to the National Priorities List. ASARCO believes that such expenditures should be immediately curtailed while EPA's review of the status of the proposed site is pending.

In the event that all expenditures on additional studies of the East Helena site are not curtailed pending the current EPA review of the proposed listing, ASARCO renews its request to participate in the planning for any future studies. As you know, ASARCO has previously stated its view that the magnitude and expense of the blood lead study that has now been undertaken was totally unjustified. ASARCO offered to provide the funds for an appropriate test last February and March, but was informed that the CDC and EPA would proceed only on the basis that ASARCO not participate in any manner. ASARCO now understands that additional surface water, soil sampling and other studies are currently under consideration, at a potential additional cost in the neighborhood of \$500,000. ASARCO believes that the need for further expenditures of this magnitude is extremely wasteful in light of the blood lead study results. Moreover, if additional studies are to be conducted, it is possible that ASARCO may be able to conduct such studies itself more inexpensively than outside consultants. With respect to any future Superfund activities with respect to the East Helena site, it is proposed that an ad hoc working group of interested parties -- similar to that which worked so well on the lead SIP and was convened at the commencement of the Superfund activity -- be established immediately to meet regularly to resolve this matter.

Once you have had an opportunity to consider our views

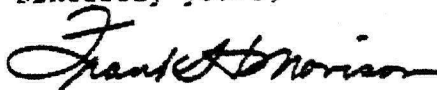
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please advise us how you intend to proceed. Thank you for your effort and the consideration devoted to this matter.

Sincerely yours,



Frank H. Morison

FHM/mvm

cc: John W. Bartlett  
Harold W. Robbins  
John Wardell  
Gene Taylor  
Melvin A. Sharp, Jr.

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